



WASHINGTON STATE
DEPARTMENT OF
E C O L O G Y

Barbara Nightingale
Shorelands and Environmental
Assistance Program

Renton SMP

Update

Washington State Shoreline Management Act

- Shoreline protection act passed by citizen initiative
- Legislature passed shoreline management act (SMA) in 1971
- Validated by voters in 1972





Highlights of the shoreline management act

- establishes a local/state shoreline administration partnership/ SMP guidelines
- requires counties & cities to adopt a shoreline master program
- Ecology reviews master programs & determines their compliance with the SMA
- local government administers the master program
- Ecology provides oversight & support



major policy provisions

- protecting against adverse effects to the public health; the land, its vegetation & wildlife; the waters of the state, their aquatic life
- planning for & fostering all reasonable & appropriate uses of the shoreline
- protecting public rights of navigation & public access to the shoreline & enhancing the public interest



What is a Shoreline Master Program ?

- the vehicle through which the SMA is administered at the local level
- based on a shoreline characterization (inventory & analysis)
- shoreline segments are given environment designations, similar to zoning
- policies – provide a comprehensive foundation for SMP regulations
- use regulations – specific standards for evaluating shoreline development proposals

2003 Guidelines WAC 173-26

Ecology Oversight and Approval Required

- **WAC Sections**
- [173-26-010](#) Authority and purpose.
- [173-26-020](#) Definitions.
- **PART I**
- **STATE MASTER PROGRAM**
- [173-26-030](#) Master programs required -- State master program contents.
- [173-26-040](#) Master programs required -- Unlisted local governments.
- [173-26-050](#) State master program register -- Maintained by department.
- [173-26-060](#) State master program -- Complete record maintained by department.
- [173-26-070](#) Adoption of shoreline master programs by rule -- Department action.
- [173-26-080](#) Master programs required of local governments.
- **PART II**
- **SHORELINE MASTER PROGRAM APPROVAL/AMENDMENT DRAFT REVIEW:**
- [173-26-090](#) Periodic review -- Public involvement encouraged -- Amendment of comprehensive plans, development regulations and master programs.
- [173-26-100](#) Local process for approving/amending shoreline master programs.
- [173-26-110](#) Submittal to department of proposed master programs/amendments.
- [173-26-120](#) State process for approving/amending shoreline master programs.
- [173-26-130](#) Appeal procedures for master programs.
- [173-26-140](#) Shoreline master program administrative interpretation.
- [173-26-150](#) Local government annexation -- Shoreline environment predesignation in planning jurisdictions.
- [173-26-160](#) Local government annexation.
- **PART III**
- **GUIDELINES**
- [173-26-171](#) Authority, purpose and effects of guidelines.
- [173-26-176](#) General policy goals of the act and guidelines for shorelines of the state.
- [173-26-181](#) Special policy goals of the act and guidelines for shorelines of statewide significance.
- [173-26-186](#) Governing principles of the guidelines.
- [173-26-191](#) Master program contents.
- [173-26-201](#) Comprehensive process to prepare or amend shoreline master programs.
- [173-26-211](#) Environment designation system.
- [173-26-221](#) General master program provisions.
- [173-26-231](#) Shoreline modifications.
- [173-26-241](#) Shoreline uses.
- [173-26-251](#) Shorelines of statewide significance.
- **PART IV**
- **OCEAN MANAGEMENT**
- [173-26-360](#) Ocean management.

Inventory → SMP

City of Renton Shoreline Master Program

Revised Draft Shoreline Inventory and Analysis



Prepared for



City Hall
1055 S. Grady Way
Renton, Washington 98057

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Prepared by

Parametrix
411 108th Avenue NE, Suite 1800
Bellevue, WA 98004-5571
T. 425.458.6200 F. 425.458.6363
www.parametrix.com

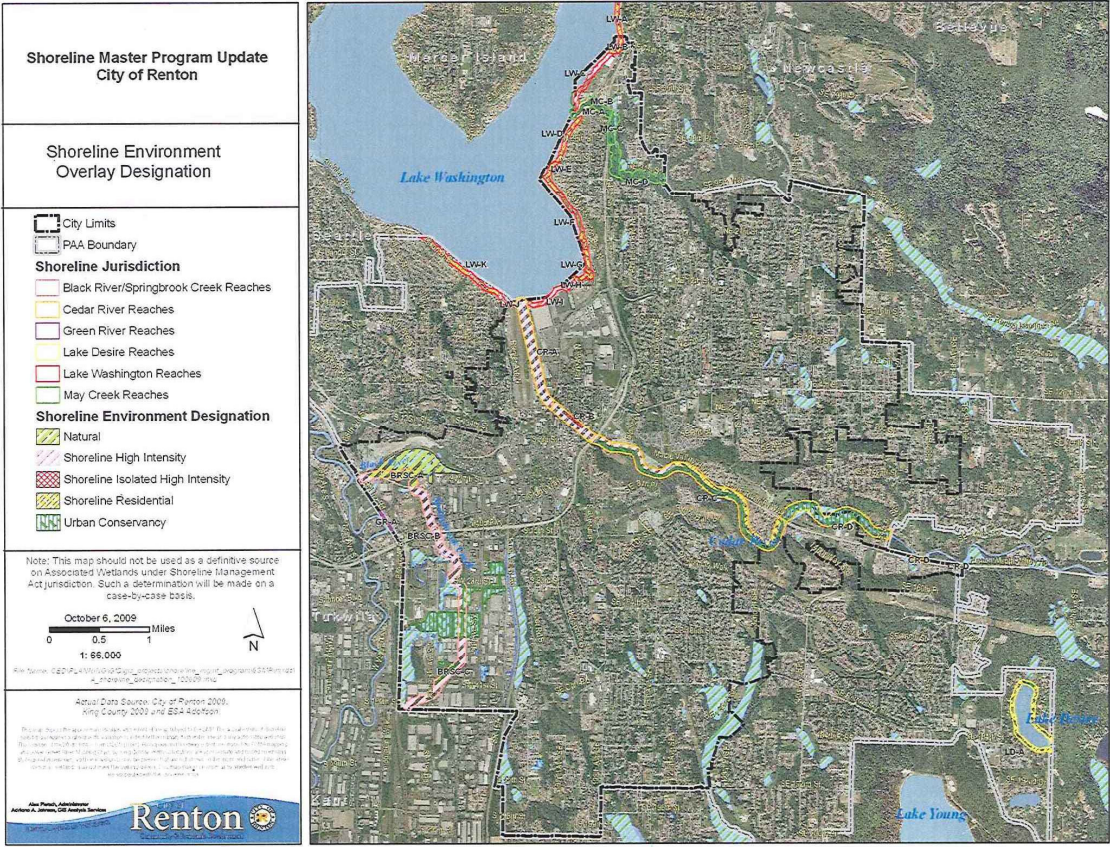
ESA Adolfson
5309 Shilshole Avenue NW, Suite 200
Seattle, WA 98107
T. 206.789.9658 F. 206.789.9684

Maney ARC
1719 E. Spring Street Suite 301
Seattle, WA 98122
T. 206.383.2447

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2009 SMP – Environment

based upon uses and conditions





Draft Inventory and SMP Review and Comments by Ecology Technical Review Team

- (Hydrogeologist) Patricia Olson
- (Flood Management) Chuck Steele
- (Wetlands) Patrick McGraner
- (Landscape Ecologist) Stephen Stanley
- (SMP Policy) Peter Skowlund
- (Regional Plan Manager) Barbara Nightingale



What's Negotiable?

- How does the City meet SMA requirements and address the mix of comments received to date?
- What is negotiable and what is not?



Ecology Comments on City Drafts

- 10-7-2009 Nightingale comments on 7-22-2009 Draft SMP
- 11-18-2009 Olson and Steele comments on 7-22-2009 Draft SMP
- Comments on Cumulative Impacts Analysis
Nightingale and Stanley to come



More Comments:

Patricia Olson PhD - Hydrogeologist

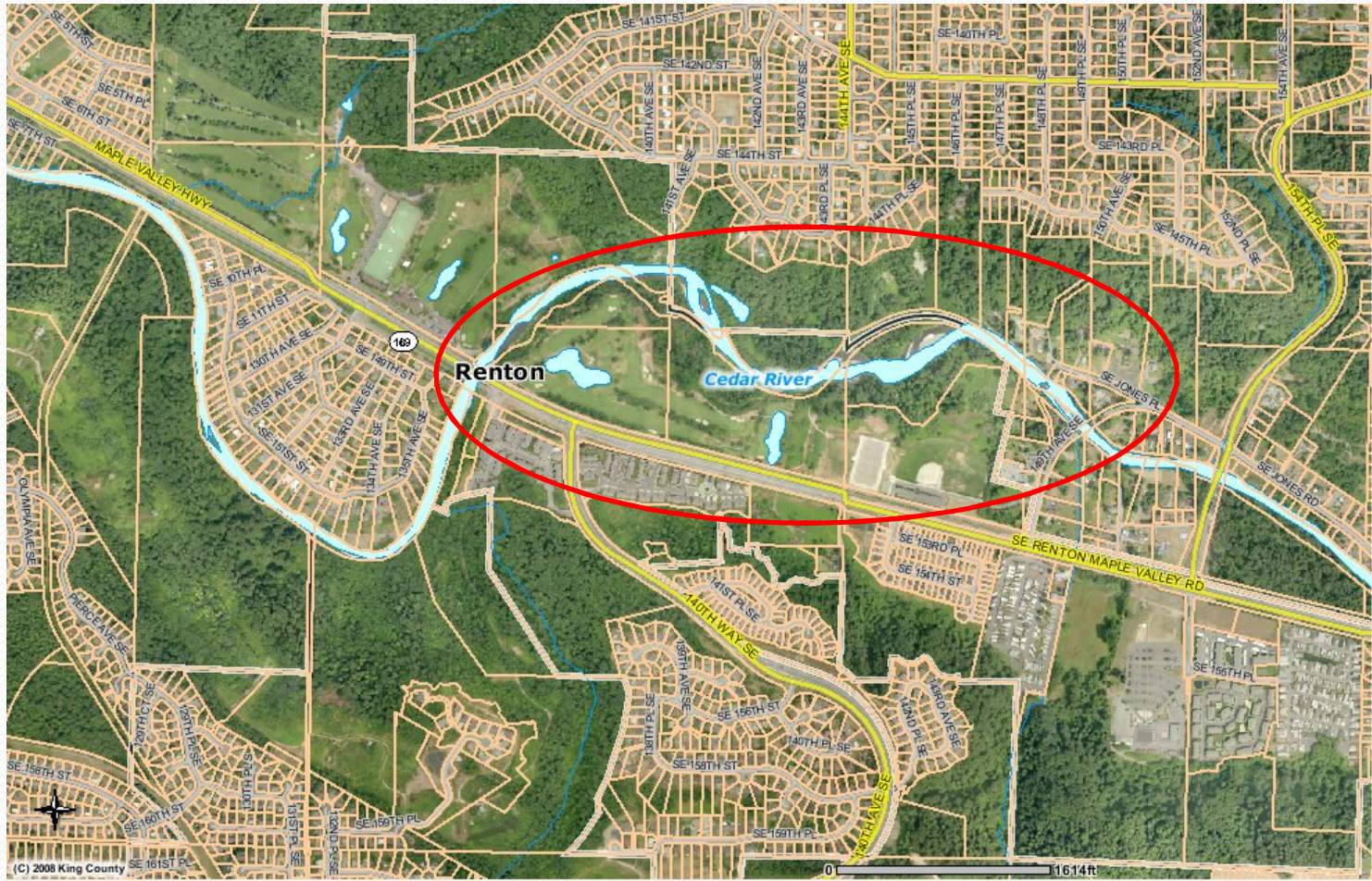
- Cedar River and May Creek Channel Migration Zones (CMZ) now in resource conservation designations and should stay in such designations.
- No structures should be allowed to interfere with CMZ's.
- CMZ Maps – not available through King County



Add CMZ Definitions and Mapping

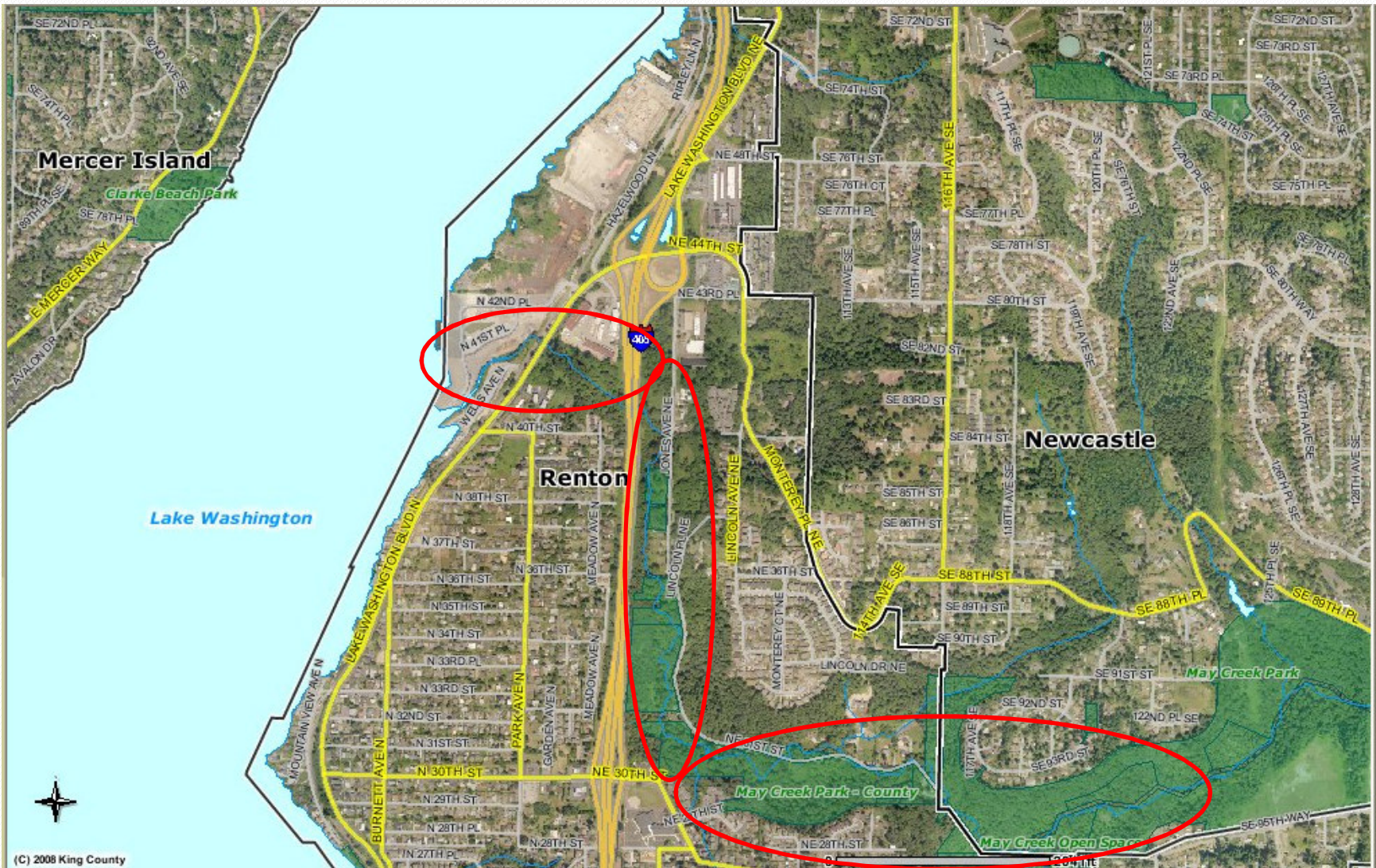
- Channel Migration Zones - “areas along a river within which the channel(s) can be reasonably predicted to migrate over time as a result of natural normally occurring hydrological and related processes when considered with the characteristics of the river and its surroundings.”
- As King County did not map Renton CMZ’s, does the City need CMZ mapping assistance?

CEDAR RIVER CMZ

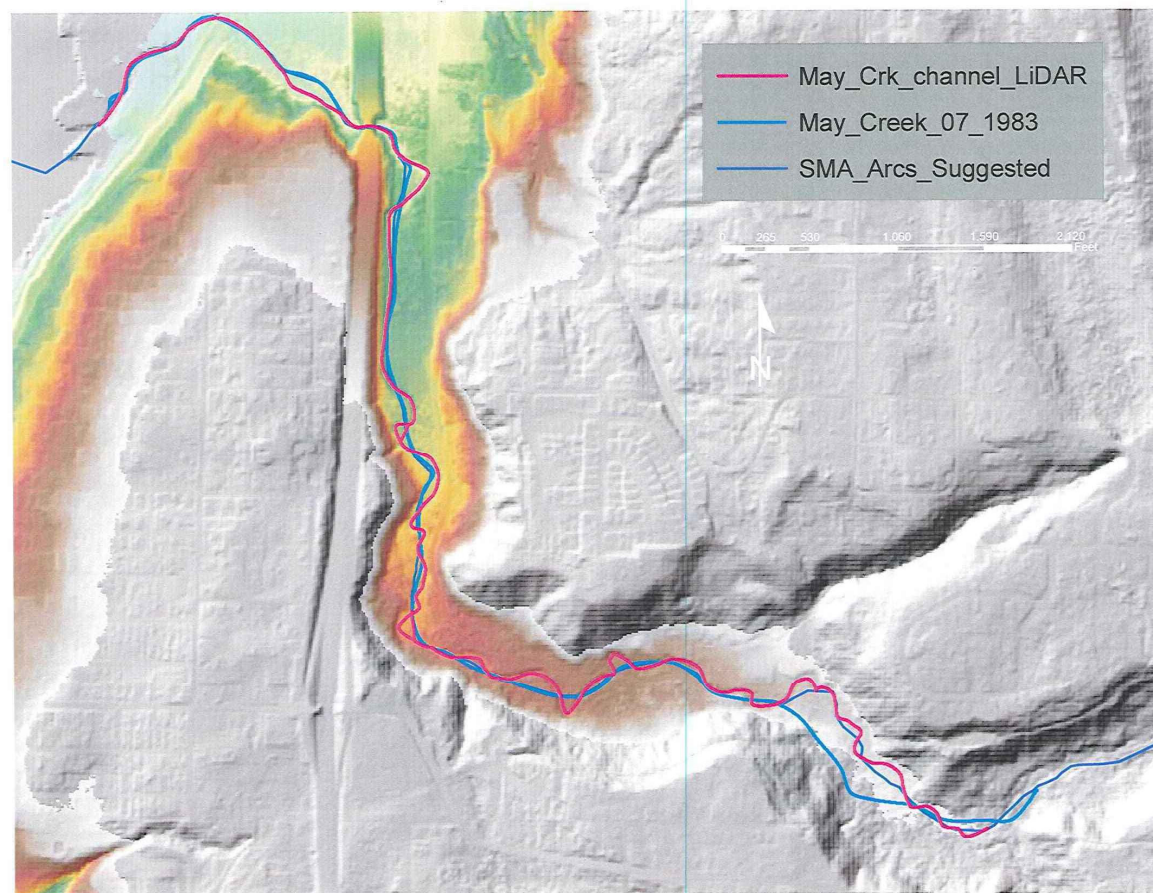




May Creek CMZ



May Creek CMZ





Flood Hazard Comments

Chuck Steele

- Define Base Flood in RMC 4-11-020 as: “A flood having a one percent (1%) chance of being equaled or exceeded in any given year. Also referred to as the one hundred (100) year flood.”
- Draft SMP uses correct flood plain mapping (i.e. based on King County data)
- Draft SMP addresses criteria specified in WAC 173-26-221 (3) Flood hazard reduction



Nightingale Comments

- Ensuring no net loss of ecological functions
 - Buffers
- Ensuring preferred Uses
- Administration
 - Conditional Use Permits
 - Variances
 - Consistency with SMA and WAC
 - Cumulative Impacts Analysis

Ensuring No Net Loss of Ecological Function

- Balance of private property interests and protecting shoreline ecosystem functions
- SMP No Net Loss is city-wide shorelines
- Existing structures may come into compliance over time with redevelopment & refurbishment
- Given present lot sizes in some shoreline stretches, not all structures can come into compliance with general regulations and standard 100 ft buffers



How?

- City plans in anticipation of future growth potential
- Since no net loss is system-wide, the City can demonstrate gains in some areas; while having no ecosystem gains in others. This does not mean accept degradation; rather it means “you do your best”
- The sliding scale buffers based on lot size make good sense, in terms of what can be achieved over time in a balanced manner.

Where and how smaller buffers will be acceptable to achieve NNL

Table 4-3-090.G.d. Vegetation Conservation Buffer Standards by Reach

SHORELINE REACH	Location	Vegetation Conservation Objectives
Lake Washington		
Lake Washington Reach A	From Bellevue city limits to Renton city limits	This developed primarily single-family area provides primarily lawn and ornamental vegetation at the shoreline. Opportunities to limit ongoing adverse impacts shall be implemented through providing for native vegetation in buffers adjacent to the water based on the standards related to lot depth together with replacement of shoreline armoring with soft shoreline protection incorporating vegetation.
Lake Washington Reach B	From the city limits to the Seahawks training facility	This developed primarily single-family area provides primarily lawn and ornamental vegetation at the shoreline. Opportunities to limit ongoing adverse impacts shall be implemented through providing for native vegetation in buffers adjacent to the water based on the standards related to lot depth together with replacement of shoreline armoring with soft shoreline protection incorporating vegetation.
Lake Washington Reach C	From the Seattle Seahawks headquarters and training facility through the former Barbec Mill site.	This area provides some riparian vegetation at the Seahawks facility, a large vacant parcel with complex wetlands and some of riparian vegetation in the center portion of the site and a restored beach area and narrow replanted vegetarian area on public aquatic land. A portion of the frontage to the south is bulkheaded single family lots. In the long term over 20 to 50 years, May Creek delta formation will lead to additional riparian area and shallow wetlands where riparian vegetation will provide multiple benefits to aquatic and terrestrial species. If areas redevelop, the full 100 foot buffer of native vegetation shall be provided, except where water dependent uses are located.
Lake Washington Reach D <i>many lots less than 100' deep</i>	From May Creek to Mountain View Avenue	This developed primarily single-family area provides primarily lawn and ornamental vegetation at the shoreline. Opportunities to

Ensuring Public Access

SMP Innovative Tool

4-3-090. E.6.g. Public Access Requirements by Reach

SHORELINE REACH	Location	Public Access Objectives
Lake Washington		
Lake Washington Reach A	From Bellevue city limits to Renton city limits	This developed primarily single-family area currently provides no public access. The potential for provision of public access from new development is low because further subdivision and non-single family use is not likely but shall be provided if such development occurs consistent with standards of this section.
Lake Washington Reach B	From the city limits to the Seahawks training facility	This is primarily a single-family area with one multi-family development immediately south of the Seahawks Training Center. There is currently no public access. There is a public trail along I-405, but it does not have views of the water. The potential for provision of public access from new development is low because further subdivision and non-single family use is not likely but shall be provided if such development occurs consistent with standards of this section.
Lake Washington Reach C	From the Seattle Seahawks headquarters and training facility through the former Barbee Mill site.	This reach includes the recently constructed Seattle Seahawks headquarters and training facility to the north and the Barbee Mill subdivision to the south. The Quendall Terminals parcel, between the Seahawks and Barbee Mill sites, is a Superfund site contaminated with coal tar and creosote. There is public access along a portion of the shoreline at the Seahawks site and adjacent to May Creek at the Barbee Mill subdivision. Public harbor lands are along about a third of the subdivision water frontage. The potential for provision of public access from new development will occur after cleanup of the Superfund site with multi-use development, which shall include shoreline access across the entire property, with controlled access to the water's edge, consistent with requirements for vegetation conservation and ecological restoration and provisions for water-dependent use, consistent with standards of this section. Provision of public access from future redevelopment of the Seahawks and Barbee Mill site is possible under the existing zoning, which allows higher intensity use and shall include a continuous public access trail parallel to the shoreline with controlled public access balanced with provisions for ecological restoration, as well as to



Reasonable Use Provisions

- CAO Reasonable Use Provisions cannot be “carte blanche” moved over to the SMP with incorporation by reference of the CAO.
- The City can build in provisions but they need to be SMP-specific in order to assure that they are consistent with both the SMA and the WAC.
- Proposals that would otherwise qualify as reasonable use pursuant to CAO shall require a shoreline variance and shall meet the variance criteria of SMP, which shall be consistent with WAC 173-27-170.



Variance

- **Purpose:** the purpose of a variance permit is strictly limited to granting relief from specific bulk, dimensional or performance standards set forth in the applicable SMP where there are extraordinary circumstances related to the physical character or configuration of property such that the strict implementation of the master program will impose unnecessary hardships on the applicant or thwart the policies as set forth in RCW 90.58.020

Variance Review Criteria

- If denial of permit thwarts RCW 90.58.020
- Applicant must demonstrate extraordinary circumstances with the public interest suffers no substantial detrimental effect.
- Developments landward of OHWM must demonstrate that strict application of standards precludes reasonable use of the property.
- Design of project will not cause adverse environment impacts.
- Variance not a granting of special privilege.
- Variance is minimum necessary to afford relief.
- Requires consideration to cumulative impacts of additional requests.
- Variances from SMP use regulations are prohibited.



Conditional Use Permit

- **Purpose:** allows flexibility in use regulation in a manner consistent with the policies of RCW 90.58.020. Special conditions may be attached to assure consistency with the SMP.
- **Review Criteria:** consistent with SMP and SMA
- Will not interfere with normal public use of public shorelines
- Compatible with other uses in the area
- No significant adverse effects
- Cumulative impacts from additional requests required to be considered.
- Uses specifically prohibited by the master program may not be authorized by a CUP.